

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Federated Wireless Expedited Request for) GN Docket No. 15-319
Emergency Waiver of Citizens Broadband Radio)
Service Incumbent Protection Rules)

ORDER

Adopted: June 12, 2023

Released: June 12, 2023

By the Mobility Division, Wireless Telecommunications Bureau:

1. By this Order, the Wireless Telecommunications Bureau (Bureau), Mobility Division, grants an extension of the relief provided by its May 30, 2023 Order (Order), which granted Federated Wireless a conditional emergency waiver of sections 96.67(c)(2) and (3) of the Commission’s rules governing the Citizens Broadband Radio Service until June 13, 2023.1 On June 8, 2023, Federated Wireless (Federated) requested a temporary extension of the relief granted in the Order until the earlier of July 28, 2023, or the restoration of reliable power and backhaul to Federated’s impacted systems.2 Federated explained that as of June 8, 2023, 50 percent of its ESC sites remained without power and that roughly half of Guam had yet to have power restored.3 Federated indicated that the government of Guam hopes to restore power to the majority of the island within approximately the next month.4 Further, Federated stated that backhaul at its ESC sites remains unstable as carriers work to stabilize their operations, which will likely persist until power is fully restored.5 Given the continued lack of reliable power and backhaul to Federated’s systems affected by Typhoon Mawar, we find that the bases for granting the conditional relief in Order remain equally applicable to the instant request. Accordingly, we find that it is in the public interest to extend the conditional relief granted in the Order until the earlier of July 28, 2023, or the restoration of reliable power and backhaul to Federated’s impacted systems. All conditions contained in the Order shall continue to apply to this extension.

2. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 1.3 and 1.925 of the Commission’s rules, 47 CFR §§ 1.3, 1.925, that the request filed by Federated Wireless for modification of emergency waiver of sections 96.67(c)(2) and (3) of the Commission’s rules, 47 CFR §§ 96.67(c)(2) and (3) is GRANTED to the extent described, and with the conditions specified, herein.

1 Federated Wireless Expedited Request for Emergency Waiver of Citizens Broadband Radio Service Incumbent Protection Rules, Order, DA 23-453 (WTB May 30, 2023).

2 See Expedited Request of Federated Wireless for Modification of Emergency Waiver of CBRS Incumbent Protection Rules, GN Docket No. 15-319 (filed June 8, 2023) (Extension Request), https://www.fcc.gov/ecfs/document/10608256022946/1. The impacted systems are Dynamic Protection Areas (DPAs) Guam 1, 2, and the Apra Harbor DPAs, together with the affected ESCs in such DPAs, Id. at 1.

3Id. at 1-2.

4 Id. at 2.

5 Id.

3. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 1.3 and 1.925 of the Commission's rules, 47 CFR §§ 1.3, 1.925, that the Wireless Telecommunications Bureau GRANTS ON ITS OWN MOTION a waiver of sections 96.15(a)(2), (a)(3), 96.45(b), 96.53(a), (e)-(g), and 96.57(d) of the Commission's Rules, 47 CFR §§ 96.15(a)(2), (a)(3), 96.45(b), 96.53(a), (e)-(g), 96.57(d), to the extent described, and with the conditions specified, herein.

4. This action is taken under delegated authority pursuant to sections 0.131, and 0.331 of the Commission's rules, 47 CFR §§ 0.131, and 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Roger Noel
Chief, Mobility Division
Wireless Telecommunications Bureau